

## HOUSE BILL NO. 558

INTRODUCED BY B. MCCHESENEY

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS THAT ENHANCE FREE PUBLIC ACCESS TO PRIVATE LANDS FOR HUNTING; ESTABLISHING THE COMMUNITY HUNTING ACCESS PARTNERSHIP; ESTABLISHING THE COMMUNITY HUNTING ACCESS PARTNERSHIP ACCOUNT; PROVIDING FOR ADMINISTRATION, PARTICIPATION, AND COMPENSATION; LIMITING LANDOWNER LIABILITY; PROVIDING AN APPROPRIATION; GRANTING RULEMAKING AUTHORITY; INCREASING ANNUAL LANDOWNER PAYMENTS FROM THE HUNTING ACCESS ENHANCEMENT PROGRAM; AMENDING SECTIONS 87-1-264, 87-1-265, 87-1-267, 87-1-268, 87-1-269, 87-1-270, 87-1-271, AND 87-2-202, MCA; AND PROVIDING AN EFFECTIVE DATE."

WHEREAS, the wildlife of Montana is held in trust for the people of Montana; and

WHEREAS, the public has expressed both a growing concern over loss of access to wildlife that exist on private and public lands and waters and an overwhelming interest in improving and developing access to wildlife while not diminishing private property rights; and

WHEREAS, private landowners provide habitat for and stewardship of wildlife and the public has primarily depended upon landowner philanthropy to gain recreational access to wildlife existing on private land; and

WHEREAS, local governments have limited resources to manage, maintain, and improve infrastructure and provide services that are of benefit to and relied upon by the public, including the hunting public; and

WHEREAS, the current hunting and fishing access enhancement programs do not meet the needs of all landowners who provide free public access; and

WHEREAS, other proposed programs, such as "ranching for wildlife", promote privatization of a public resource and do not meet the fiduciary responsibility of the Department of Fish, Wildlife, and Parks for wildlife held in trust for the people of Montana.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Community hunting access partnership -- authorization.** (1) As authorized in 87-1-265(2), the community hunting access partnership is established to obtain, develop, and

1 enhance public hunting access to wildlife on private land as an alternative to the block management program  
2 established by administrative rule pursuant to the authority contained in 87-1-301 and 87-1-303.

3 (2) Pursuant to [sections 4 and 5], the partnership may compensate landowners who allow free public  
4 hunting on their property but who do not participate in the block management program. Land is not eligible for  
5 inclusion if outfitting or commercial hunting restricts public hunting opportunities.

6 (3) Pursuant to 87-1-265(3), the department may develop leases and easements on private land to  
7 obtain public hunting access under this section.

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9 **NEW SECTION. Section 2. Community hunting access partnership account -- deposits.** (1) There  
10 is a community hunting access partnership account in the state special revenue fund. Money deposited in the  
11 account pursuant to this section is for the use of the department and may be expended only for the  
12 implementation of [sections 1 through 5].

13 (2) Money received from the following sources may be deposited in the account:

14 (a) fees for outfitter-sponsored Class B-10 and Class B-11 licenses set in accordance with 87-1-268;

15 (b) hunter access enhancement fees collected pursuant to 87-2-202(3)(c) and (3)(d);

16 (c) proceeds from the sale of Class B-1 nonresident upland game bird licenses collected pursuant to  
17 87-1-270;

18 (d) proceeds from the lottery of hunting licenses that are distributed pursuant to 87-1-271(4);

19 (e) the general fund;

20 (f) the sale of tax-exempt state government bonds;

21 (g) private and corporate donations;

22 (h) corporate sponsorships;

23 (i) license fee increases designated for the community hunting access partnership;

24 (j) any wildlife and access mitigation surcharge assessed on mineral development; and

25 (k) federal funds dedicated to public recreational access.

26 (3) Funds in the account must be invested. Any interest and income earned on the account must be  
27 retained in the account.

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29 **NEW SECTION. Section 3. Community hunting access partnership -- administration -- donations**  
30 **of land -- rulemaking.** (1) Subject to [sections 2, 4, and 5], the department, under the direction of the director

and commission, shall administer the community hunting access partnership through the division responsible for wildlife and hunting access activities.

(2) Donations of real property may be made by private or corporate donation to the department to support the community hunting access partnership. Income and interest earned from the management or sale of donated property must be deposited in the community hunting access partnership account established in [section 2].

(3) The department may adopt rules necessary to implement the provisions of [sections 2, 4, and 5].

**NEW SECTION. Section 4. Community hunting access partnership -- landowner participation --**

**eligibility -- application.** (1) Any private landowner allowing free public hunting access that does not limit harvest opportunities established by the commission is eligible to apply to participate in the community hunting access partnership.

(2) The decision to enroll a landowner in the partnership is the responsibility of the department. Application must be made on a form prescribed by the department.

(3) The department shall use a points-based system to prioritize eligible applications for enrollment given available funding. Points must be calculated for each application according to the following schedule:

(a) for the number of acres available for hunting, excluding safety zones and plowed fields, the following points are awarded:

(i) 2 points for 640 to 999 acres;

(ii) 4 points for 1,000 to 1,999 acres;

(iii) 6 points for 2,000 to 3,999 acres;

(iv) 8 points for 4,000 to 5,999 acres; and

(v) 10 points for 6,000 acres or more;

(b) for the percentage of private property in the county in which the applicant would provide access, the following points are awarded:

(i) 2 points for 0% to 25% private property;

(ii) 5 points for 25% to 50% private property; and

(iii) 10 points for more than 50% private property;

(c) 1 point is awarded for each game species available to hunt on the property;

(d) 2 points are awarded for each of the following:

(i) the opportunity to link the property with public land, a cooperative management area, or other land

1 included in any access program; and

2 (ii) the threat of commercial hunting activities that would render the property inaccessible to the public;

3 and

4 (e) 10 points are awarded to landowners who have a history of cooperating with the department and the  
5 hunting public and can verify that cooperation.

6 (4) The restriction on liability of a landowner, agent, or tenant that is provided under 70-16-302(1) applies  
7 to a landowner who participates in the community hunting access partnership.

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9 **NEW SECTION. Section 5. Community hunting access partnership compensation -- reporting**  
10 **requirements -- reimbursement rates -- bonuses.** (1) (a) To qualify for compensation under this section,  
11 landowners enrolled in the community hunting access partnership pursuant to [section 4] shall submit an annual  
12 written affidavit to the department listing each hunter that accessed that property through the partnership,  
13 including the hunter's name, automated licensing service number, dates and species hunted, and if prescribed  
14 by the department, the sex and species of any harvested animals. The system of recording must be flexible but  
15 credible and must be negotiated on a cooperative basis.

16 (b) The department shall audit any landowner records used to complete the written affidavit, in  
17 accordance with subsection (1)(a), if there is concern about the validity of the written affidavit. If an affidavit is  
18 proven false, compensation under this section may be denied and a landowner may be charged pursuant to  
19 45-7-210.

20 (c) For purposes of receiving compensation, a successfully enrolled property with multiple landowners  
21 is considered to have only one landowner.

22 (2) Compensation for participation in the community hunting access partnership is computed based on  
23 each hunter day at a reimbursement rate that is at least \$12 or equivalent to the rate paid for each hunter day  
24 by the block management program, whichever is greater.

25 (3) The reimbursement rate may be adjusted annually for inflation to the nearest dollar based on the  
26 consumer price index.

27 (4) Compensation for an individual landowner, including any bonus payments made under subsection  
28 (7), may not exceed \$15,000 a year.

29 (5) (a) Subject to subsections (5)(b) through (5)(d), payments are made annually on the following basis:

30 (i) 50% is paid directly to the landowner; and

(ii) 50% is paid to the treasurer of the county in which the landowner resides in the landowner's name for use by the county pursuant to subsection (7).

(b) Annually, a landowner may choose to increase the portion of the incentive payment paid to the county treasurer up to 100%.

(c) In lieu of a direct payment under subsection (5)(a)(i), a landowner may receive goods or services, including land management improvements that benefit agricultural operations and conserve wildlife and wildlife habitat, in an amount that is equivalent to the direct payment that would have been made.

(d) A landowner may donate any portion of payments made under subsection (5)(a) to an organization that is exempt from taxation under 26 U.S.C. 501(c)(3).

(6) A one-time bonus payment of \$200 must be made to the county treasurer for each landowner whose name is submitted by the board of county commissioners to the department in a manner prescribed by the department and who is successfully enrolled in the community hunting access partnership. The term "successfully enrolled" includes consideration of available funding.

(7) Money paid to a county under subsection (5)(a)(ii) or (6) must be used for any of the following:

(a) road and bridge maintenance;

(b) wildfire suppression and mitigation;

(c) weed control;

(d) developing public road rights-of-way; and

(e) other efforts related to public hunting access.

(8) After 5 consecutive years of participation in the community hunting access partnership, an annual \$200 bonus must be paid to the landowner. After 10 consecutive years of participation, the annual bonus is \$400. For every 5 consecutive years after that, the annual bonus is \$600.

**Section 6.** Section 87-1-264, MCA, is amended to read:

**"87-1-264. Expenditure of program funds on weed control.** The legislature recognizes that the hunter management and hunting access enhancement programs in 87-1-265 through 87-1-267 have successfully encouraged landowners to increase public access to private lands for purposes of hunting, but that increased public access may also contribute to an increase in the spread of noxious weeds on public and private lands. Therefore, in an effort to improve management and services related to those programs, the department may offer up to 5% in additional incentive payments to landowners who agree to use those payments for specific weed

1 management activities on lands under their control. Similar payments may be made to landowners participating  
2 in the community hunting access partnership established in [sections 1 through 5]."

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4 **Section 7.** Section 87-1-265, MCA, is amended to read:

5 **"87-1-265. Hunter management and hunting access enhancement programs created -- private**  
6 **landowner assistance to promote public hunting access -- rules.** (1) The department may establish within  
7 the block management program established by administrative rule pursuant to authority contained in 87-1-301  
8 and 87-1-303 programs of landowner assistance that encourage public access to private and public lands for  
9 purposes of hunting and may adopt rules to carry out program purposes. Rules may address but are not limited  
10 to incentives provided under:

11 (a) a hunter management program as set out in 87-1-266, consisting of a cooperative agreement  
12 between a landowner and the department and including other resource management agencies when appropriate,  
13 that allows public hunting with certain restrictions or use rules; and

14 (b) a hunting access enhancement program as set out in 87-1-267, consisting of incentives for private  
15 landowners who allow public hunting access on their lands.

16 (2) The department may also develop similar efforts outside the scope of the block management program  
17 that are designed to promote public access to private lands for hunting purposes.

18 (3) Participation in a program established under this section is voluntary. A lease, acquisition, or other  
19 arrangement for public access across private property that is initiated through a program established under this  
20 part must be negotiated on a cooperative basis and may only be initiated with the voluntary participation of private  
21 landowners.

22 (4) Programs may not be structured in a manner that provides assistance to a private landowner who  
23 charges a fee for hunting access to private land that is enrolled in the program or who does not provide  
24 reasonable public hunting access to private land that is enrolled in the program. ~~The~~ In addition to those provided  
25 in law, the commission shall may develop criteria by which tangible benefits are allocated to participating  
26 landowners, and the department may distribute the benefits to participating landowners. The department may  
27 by rule limit the number of licenses that can be provided as incentives."

28  
29 **Section 8.** Section 87-1-267, MCA, is amended to read:

30 **"87-1-267. Hunting access enhancement program -- benefits for providing hunting access --**

**cooperative agreement -- factors for determining benefits earned -- restriction on landowner liability. (1)**

As provided in 87-1-265, the department may establish and administer a voluntary program to enhance the block management program, to be known as the hunting access enhancement program. The program must be designed to provide tangible benefits to participating private landowners who grant access to their land for public hunting.

(2) Land is not eligible for inclusion in the hunting access enhancement program if outfitting or commercial hunting restricts public hunting opportunities.

(3) A contract for participation in the hunting access enhancement program is established through a cooperative agreement between the landowner and the department that will guarantee reasonable access for public hunting. Landowners may also form a voluntary association when development of a unified cooperative agreement is advantageous. A cooperative agreement must contain a detailed description of the plan developed by the landowner and the department and may include but is not limited to:

(a) hunting access management;

(b) services to be provided to the public;

(c) ranch rules and other restrictions; and

(d) any other management information to be gathered, which must be made available to the public.

(4) If the department determines that the plan referred to in subsection (3) may adversely influence game management decisions or wildlife habitat on public lands outside the block management area, then other public land agencies, interested sportspersons, and affected landowners must be consulted. An affected landowner's management goals and personal observations regarding game populations and habitat use must be considered in developing the plan.

(5) The commission shall develop rules for determining tangible benefits to be provided to a landowner for providing public hunting access. Benefits will be provided to offset potential impacts associated with public hunting access, including but not limited to those associated with general ranch maintenance, conservation efforts, weed control, fire protection, liability insurance, roads, fences, and parking area maintenance. Factors used in determining benefits may include but are not limited to:

(a) the number of days of public hunting provided by a participating landowner;

(b) wildlife habitat provided;

(c) resident game populations;

(d) number, sex, and species of animals taken; and

(e) access provided to adjacent public lands.

(6) Benefits earned by a landowner under this section may be applied in, but application is not limited to, the following manner:

(a) A landowner may direct weed control payments to be made directly to the county weed control board or may elect to receive payments directly.

(b) A landowner may direct fire protection payments to be made to the local fire district or the county where the landowner resides or may elect to receive payments directly.

(c) A landowner may receive direct payment to offset insurance costs incurred for allowing public hunting access.

(d) The department may provide assistance in the construction and maintenance of roads, gates, and parking facilities and in the signing of property.

(7) The commission may provide a total of not more than ~~\$12,000~~ \$15,000 a year to a landowner who participates in the hunter management program or hunting access enhancement program, or both.

(8) The restriction on liability of a landowner, agent, or tenant that is provided under 70-16-302(1) applies to a landowner who participates in the hunting access enhancement program."

**Section 9.** Section 87-1-268, MCA, is amended to read:

**"87-1-268. Variable pricing of outfitter-sponsored Class B-10 and B-11 licenses.** (1) The commission shall annually set fees for outfitter-sponsored Class B-10 and Class B-11 licenses allowed under 87-2-505 and 87-2-510. The fees must be set at a market rate intended to sell as close to but not more than an average of 5,500 Class B-10 licenses and 2,300 Class B-11 licenses each year, calculated over a 5-year period. The sale period for the licenses must be established so that by the last date in the established period, those licenses that are unsold, up to 5,500 Class B-10 licenses and 2,300 Class B-11 licenses, may be reallocated by the commission for a drawing at a price set by the commission.

(2) (a) Of the fees established under this section, 50% must be deposited in each of the following accounts:

(i) the account in the state special revenue fund for the block management program established pursuant to the authority contained in 87-1-301 and 87-1-303; and

(ii) the community hunting access partnership account established in [section 2].

(b) Any funds deposited in one of the accounts pursuant to subsection (2)(a) that are unreserved at the



end of a fiscal year may be transferred to the other account listed in subsection (2)(a)."

**Section 10.** Section 87-1-269, MCA, is amended to read:

**"87-1-269. Report required -- review committee.** (1) The governor shall appoint a committee of persons interested in issues related to hunters, anglers, landowners, and outfitters, including but not limited to the hunting access enhancement program, the fishing access enhancement program, landowner-hunter relations, outfitting industry issues, and other issues related to private lands and public wildlife. The committee must have broad representation of landowners, outfitters, and sportspersons. The department may provide administrative assistance as necessary to assist the review committee.

(2) (a) The review committee shall report to the governor and to each legislature regarding the success of various elements of the hunting access ~~enhancement program~~ programs established under this part, including a report of annual landowner participation, the number of acres annually enrolled in the ~~program~~ programs, hunter harvest success on enrolled lands, the number of qualified applicants who were denied enrollment because of a shortfall in funding, and an accounting of program expenditures, and make recommendations for funding, modification, or improvement needed to achieve the objectives of the ~~program~~ programs. The department shall provide fiscal analyses of all hunting access ~~enhancement program~~ funding sources to the review committee for review and recommendations.

(b) The review committee shall report to the governor and to each legislature regarding the success of the fishing access enhancement program and make recommendations for funding, modification, or improvement needed to achieve the objectives of the program. The department shall provide fiscal analyses of all fishing access enhancement program funding sources to the review committee for review and recommendations.

(3) The director may appoint additional advisory committees that are considered necessary to assist in the implementation of the hunting access ~~enhancement program~~ programs established under this part and the fishing access enhancement program and to advise the commission regarding the development of rules implementing the hunting access ~~enhancement program~~ programs and the fishing access enhancement program."

**Section 11.** Section 87-1-270, MCA, is amended to read:

**"87-1-270. Allocation of license fees to hunting access enhancement program.** (1) The amount of \$55 from the sale of each Class B-1 nonresident upland game bird license must be used by the department to

1 encourage public access to private lands for hunting purposes in accordance with 87-1-265 through 87-1-267  
2 and [sections 1 through 5].

3 (2) The resident hunting access enhancement fee in 87-2-202(3)(c) and the nonresident hunting access  
4 enhancement fee in 87-2-202(3)(d) must be used by the department to encourage public access to private and  
5 public lands for hunting purposes in accordance with 87-1-265 through 87-1-267 and [sections 1 through 5]."

6  
7 **Section 12.** Section 87-1-271, MCA, is amended to read:

8 **"87-1-271. Annual lottery of hunting licenses -- proceeds dedicated to hunting access**  
9 **enhancement.** (1) The commission may issue through a lottery one license each year for each of the following:

- 10 (a) deer;  
11 (b) elk;  
12 (c) shiras moose;  
13 (d) mountain sheep;  
14 (e) mountain goat;  
15 (f) wild buffalo or bison;  
16 (g) antelope; and  
17 (h) mountain lion.

18 (2) The restriction in 87-2-702(4) that a person who receives a moose, mountain goat, or mountain sheep  
19 special license is not eligible to receive another license for that species for the next 7 years does not apply to a  
20 person who receives a license through a lottery conducted pursuant to this section.

21 (3) The commission shall establish rules regarding:

- 22 (a) the conduct of the lottery authorized in this section;  
23 (b) the use of licenses issued through the lottery; and  
24 (c) the price of lottery tickets.

25 (4) All proceeds from a lottery conducted pursuant to this section must be used by the department for  
26 ~~hunting access enhancement programs and law enforcement~~ and to encourage public access to private and  
27 public lands for hunting purposes in accordance with 87-1-265 through 87-1-267 and [sections 1 through 5]."

28  
29 **Section 13.** Section 87-2-202, MCA, is amended to read:

30 **"87-2-202. (Temporary) Application -- fee -- expiration.** (1) Except as provided in 87-2-803(12) [and

87-2-805(5)], a wildlife conservation license must be sold upon written application. The application must contain the applicant's name, age, [last four digits of the applicant's social security number,] occupation, street address of permanent residence, mailing address, qualifying length of time as a resident in the state of Montana, and status as a citizen of the United States or as an alien and must be signed by the applicant. The applicant shall present a valid Montana driver's license, a Montana driver's examiner's identification card, a tribal identification card, or other identification specified by the department to substantiate the required information when applying for a wildlife conservation license. It is the applicant's burden to provide documentation establishing the applicant's identity and qualifications to purchase a wildlife conservation license or to receive a free wildlife conservation license pursuant to 87-2-803(12) [or 87-2-805(5)]. It is unlawful and a misdemeanor for a license agent to sell [or give] a wildlife conservation license to an applicant who fails to produce the required identification at the time of application for licensure.

(2) Hunting, fishing, or trapping licenses issued in a form determined by the department must be recorded according to rules that the department may prescribe.

(3) (a) Resident wildlife conservation licenses may be purchased for a fee of \$8, of which 25 cents is a search and rescue surcharge.

(b) Nonresident wildlife conservation licenses may be purchased for a fee of \$10, of which 25 cents is a search and rescue surcharge.

(c) In addition to the fee in subsection (3)(a), the first time in any license year that a resident uses the wildlife conservation license as a prerequisite to purchase a hunting license, an additional hunting access enhancement fee of \$2 is assessed. The additional fee may be used by the department only to encourage enhanced hunting access through ~~the hunter management and hunting access enhancement~~ programs established in 87-1-265 through 87-1-267 and [sections 1 through 5]. The wildlife conservation license must be marked appropriately when the hunting access enhancement fee is paid. The resident hunting access enhancement fee is chargeable only once during any license year.

(d) In addition to the fee in subsection (3)(b), the first time in any license year that a nonresident uses the wildlife conservation license as a prerequisite to purchase a hunting license, except a variably priced outfitter-sponsored Class B-10 or Class B-11 license issued under 87-1-268, an additional hunting access enhancement fee of \$10 is assessed. The additional fee may be used by the department only to encourage enhanced hunting access through ~~the hunter management and hunting access enhancement~~ programs established in 87-1-265 through 87-1-267 and [sections 1 through 5]. The wildlife conservation license must be

1 marked appropriately when the hunting access enhancement fee is paid. The nonresident hunting access  
2 enhancement fee is chargeable only once during any license year.

3 (4) Licenses issued are void after the last day of February next succeeding their issuance.

4 [(5) The department shall keep the applicant's social security number confidential, except that the  
5 number may be provided to the department of public health and human services for use in administering Title  
6 IV-D of the Social Security Act.]

7 (6) The department shall delete the applicant's social security number in any electronic database [5 years  
8 after the date that application is made for the most recent license]. (Terminates April 24, 2010, pursuant to sec.  
9 5, Ch. 237, L. 2007, unless contingency occurs. Bracketed language in subsection (1) concerning social security  
10 number, subsection (5), and bracketed language in subsection (6) terminates or is amended on occurrence of  
11 contingency--sec. 3, Ch. 321, L. 2001. The \$2 wildlife conservation license fee increases in subsections (3)(a)  
12 and (3)(b) enacted by Ch. 596, L. 2003, are void on occurrence of contingency--sec. 8, Ch. 596, L. 2003. The  
13 bracketed language in subsection (1) citing 87-2-805(5) and including "or give" terminates February 28,  
14 2009--sec. 7, Ch. 452, L. 2007.)

15 **87-2-202. (Effective April 25, 2010, pursuant to Ch. 237, L. 2007, unless contingency occurs)**

16 **Application -- fee -- expiration.** (1) Except as provided in 87-2-803(12), a wildlife conservation license must be  
17 sold upon written application. The application must contain the applicant's name, age, [social security number,]  
18 occupation, street address of permanent residence, mailing address, qualifying length of time as a resident in the  
19 state of Montana, and status as a citizen of the United States or as an alien and must be signed by the applicant.  
20 The applicant shall present a valid Montana driver's license, a Montana driver's examiner's identification card,  
21 a tribal identification card, or other identification specified by the department to substantiate the required  
22 information when applying for a wildlife conservation license. It is the applicant's burden to provide documentation  
23 establishing the applicant's identity and qualifications to purchase a wildlife conservation license or to receive a  
24 free wildlife conservation license pursuant to 87-2-803(12). It is unlawful and a misdemeanor for a license agent  
25 to sell a wildlife conservation license to an applicant who fails to produce the required identification at the time  
26 of application for licensure.

27 (2) Hunting, fishing, or trapping licenses issued in a form determined by the department must be  
28 recorded according to rules that the department may prescribe.

29 (3) (a) Resident wildlife conservation licenses may be purchased for a fee of \$8, of which 25 cents is a  
30 search and rescue surcharge.

(b) Nonresident wildlife conservation licenses may be purchased for a fee of \$10, of which 25 cents is a search and rescue surcharge.

(c) In addition to the fee in subsection (3)(a), the first time in any license year that a resident uses the wildlife conservation license as a prerequisite to purchase a hunting license, an additional hunting access enhancement fee of \$2 is assessed. The additional fee may be used by the department only to encourage enhanced hunting access through ~~the hunter management and hunting access enhancement~~ programs established in 87-1-265 through 87-1-267 and [sections 1 through 5]. The wildlife conservation license must be marked appropriately when the hunting access enhancement fee is paid. The resident hunting access enhancement fee is chargeable only once during any license year.

(d) In addition to the fee in subsection (3)(b), the first time in any license year that a nonresident uses the wildlife conservation license as a prerequisite to purchase a hunting license, except a variably priced outfitter-sponsored Class B-10 or Class B-11 license issued under 87-1-268, an additional hunting access enhancement fee of \$10 is assessed. The additional fee may be used by the department only to encourage enhanced hunting access through ~~the hunter management and hunting access enhancement~~ programs established in 87-1-265 through 87-1-267 and [sections 1 through 5]. The wildlife conservation license must be marked appropriately when the hunting access enhancement fee is paid. The nonresident hunting access enhancement fee is chargeable only once during any license year.

(4) Licenses issued are void after the last day of February next succeeding their issuance.

[(5) The department shall keep the applicant's social security number confidential, except that the number may be provided to the department of public health and human services for use in administering Title IV-D of the Social Security Act.]

(6) The department shall delete the applicant's social security number in any electronic database [5 years after the date that application is made for the most recent license]. (Bracketed language terminates or is amended on occurrence of contingency--sec. 3, Ch. 321, L. 2001. The \$2 wildlife conservation license fee increases in subsections (3)(a) and (3)(b) enacted by Ch. 596, L. 2003, are void on occurrence of contingency--sec. 8, Ch. 596, L. 2003.)"

**NEW SECTION. Section 14. Appropriation.** There is appropriated for the 2011 biennium only an amount of \$3.4 million of unreserved revenue collected in accordance with 87-1-268, 87-1-270, 87-1-271, and 87-2-202(3)(c) and (3)(d) for the implementation of the community hunting access partnership established in

1 [section 1]. The funds must be deposited in the community hunting access partnership account established in  
2 [section 2].

3  
4 NEW SECTION. **Section 15. Codification instruction.** [Sections 1 through 5] are intended to be  
5 codified as an integral part of Title 87, chapter 1, part 2, and the provisions of Title 87, chapter 1, part 2, apply  
6 to [sections 1 through 5].

7  
8 NEW SECTION. **Section 16. Effective date.** [This act] is effective July 1, 2009.

9 - END -